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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Implementation of Section 309(j)) MM Docket No. 87-268
of the Communications Act -)
Competitive Bidding)

TO: The Commission

**OPPOSITION TO PETITION FOR RECONSIDERATION FILED BY
JEFFERSON-PILOT COMMUNICATIONS COMPANY**

WAVY Television, Inc., licensee of Station WAVY-TV (Portsmouth, Virginia) NTSC Channel 10 ("WAVY-TV"), opposes the Petition for Reconsideration of the Sixth Report and Order, MM Docket No. 87-268 ("Sixth R&O"), filed by Jefferson-Pilot Communications Company, licensee of Station WWBT-TV (Richmond, Virginia) NTSC Channel 12 ("WWBT-TV"). In its petition, WWBT-TV asks the Commission to assign DTV Channel 11 for its digital operations. WWBT-TV's request, however, will cause unacceptable levels of interference to WAVY-TV's NTSC operations. Accordingly, WAVY-TV urges the Commission to deny WWBT-TV's petition for reconsideration.

The Sixth R&O allots DTV Channel 54 to Richmond and specifically assigns it to WWBT-TV. In its petition for reconsideration, WWBT-TV seeks to modify the Commission's Table of Allotments and Assignments ("DTV Table"), requesting permission to digitally broadcast from DTV Channel 11 rather than DTV Channel 54. Lacking access to OET Bulletin No. 69 at the time of filing, WWBT-TV conceded that it could not "determine with certainty all of the implications of substituting channel 11 for channel

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54."^{1/} The attached engineering assessment indicates such a substitution will, in fact, impair the NTSC coverage of WAVY-TV.

To assess the impact of WWBT-TV's request on WAVY-TV, an engineering consultant with du Treil, Lundin & Rackley conducted interference analyses based on the technical parameters outlined in OET Bulletin No. 69.^{2/} This analysis concludes that WAVY-TV NTSC Channel 10 will receive interference from WWBT-TV operations on DTV Channel 11. Specifically, WAVY-TV NTSC Channel 10 will suffer DTV interference in an area of 520 square kilometers containing an estimated population of 108,000 people and 39,000 households.^{3/} This interference will occur in the northwest portion of WAVY-TV's service area, disenfranchising viewers in Dinwiddie, Prince George, Chesterfield, Charles City, Henrico and New Kent counties.^{4/}

The Sixth R&O requires those stations that seek to modify the DTV Table to "show that such modification would not result in any new predicted interference to other DTV allotments or existing NTSC stations." Sixth R&O, at ¶ 222. WWBT-TV's requested modification does not satisfy this requirement; indeed, the Commission would displace thousands of viewers in WAVY-TV's service area if it granted WWBT-TV's request.

WAVY-TV is not unsympathetic to WWBT-TV's plight. Assuring both replication of existing service and maximization of DTV service areas will require extensive

^{1/} See WWBT-TV's Petition for Reconsideration at 2.

^{2/} See Technical Statement of Jeff Reynolds of du Treil, Lundin & Rackley, Inc. ("Reynolds Analysis") at 1.

^{3/} Reynolds Analysis at 2.

^{4/} Id.

coordination and cooperation among licensees in adjacent markets. As we proceed in the DTV development and rollout process, there may be technical solutions that would make it possible for WWBT-TV to make the proposed channel shift in a manner which would not adversely impact WAVY-TV's existing service. WAVY-TV pledges to work with WWBT-TV in good faith towards this end. But based on currently available information, the Commission should deny the proposed request.

Respectfully submitted,

WAVY TELEVISION, INC.



WILLIAM H. FITZ

ERIN M. EGAN

GREGORY M. SCHMIDT
Vice-President New Development
and General Counsel,
LIN Television Corporation
1001 G Street, N.W., Suite 700 East
Washington, D.C. 20001
(202) 879-9355

Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-7566
(202) 662-6000

Its Attorneys

July 18, 1997

CERTIFICATE OF SERVICE

I, Erin M. Egan, hereby certify that on this 18th day of July 1997, I caused copies of the foregoing "Opposition to Petition for Reconsideration Filed by Jefferson-Pilot Communications Company" to be sent to the following:


Erin M. Egan

By First Class Mail, Postage Prepaid

JEFFERSON-PILOT COMMUNICATIONS COMPANY

JAMES R. BAYES
ROSEMARY C. HAROLD
WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, D.C. 20006

TECHNICAL STATEMENT
REPLY TO THE
PETITION FOR RECONSIDERATION FILED BY
JEFFERSON-PILOT COMMUNICATIONS COMPANY
SIXTH REPORT AND ORDER IN
MM DOCKET NO. 87-268

This technical statement supports a reply from WAVY Television, Inc. (WAVY) to the Petition for Reconsideration filed by Jefferson-Pilot Communications Company (Jefferson-Pilot) in the **Sixth Report and Order** in MM Docket No. 87-268 (6th R&O). Jefferson-Pilot is the licensee of WWBT(TV) on NTSC channel 12 at Richmond, Virginia. The Federal Communications Commission (FCC) allotted channel 54 to WWBT(TV) as its digital television (DTV) assignment in the 6th R&O. Jefferson-Pilot's Petition for Reconsideration requests channel 11 to be assigned as the DTV allotment for WWBT(TV) instead of channel 54. WAVY is the licensee of WAVY-TV on channel 10 at Portsmouth, Virginia. WAVY opposes this substitution as it will create interference within WAVY-TV's Grade B contour.

A DTV propagation analysis computer program available through the National Telecommunications Information Agency (NTIA) in Boulder, Colorado has been used to determine the calculated areas of interference to WAVY-TV from Jefferson-Pilot's proposed channel 11 DTV operation. The NTIA program uses the Longley-Rice propagation model and the general technical criteria contained in OET Bulletin No. 69 entitled "Longley-Rice Methodology for Evaluating TV Coverage and Interference." Furthermore, the facilities specified in the Petition for Reconsideration for the channel 11 DTV operation have been used for this analysis (ERP 12.6 kW/HAAT 241 m).

Figure 1 is a map based on the current WAVY-TV NTSC facilities (channel 10, ERP 316 kW/HAAT 302 m) which depicts the outline of the WAVY-TV NTSC service (Grade B, 46 dBu) and interference with consideration given to interference from the proposed DTV operation on channel 8. The WAVY-TV The interference from the proposed channel 11 DTV operation is located in the northwest portion of the WAVY-TV service area) in Dinwiddie, Prince George, Chesterfield, Charles City, Henrico and New Kent counties. This interference area consists of 520 square kilometers containing an estimated population of 108,000 persons and 39,000 households.

In summary, WAVY has demonstrated that Jefferson-Pilot's proposal to utilize channel 11 for WWB(TV)'s DTV operation instead of channel 54 will cause interference with WAVY-TV's NTSC service area.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
240 North Washington Blvd.
Suite 700
Sarasota, Florida 34236
(941) 366-2611

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Figure 1

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